

Pursuant to the Court's October 21, 2013 Claim Construction order (Dkt. 218), Defendants provide the declaration of Dr. Michael A. Shamos, along with the exhibits attached thereto. Dr. Shamos obtained a Ph. D. in Computer Science from Yale University in 1978 and is a leading expert on the internet and electronic commerce. As confirmed by Dr. Shamos and the attached exhibits, the meaning of the prior art terms bookmark, cookie, shortcut, hyperlink and Internet address (URL), in the context of the '745 Patent, have not changed since 1999.

Moreover, even if the Court finds that the meaning of any disclaimed prior art term has changed over time, as Droplets asserts, Droplets' disclaimer would still cover such developments in the prior art term under Federal Circuit law. *See* Defs. Reply Br. at 4-5; *see also, e.g., Biogen Idec Inc. v. GlaxoSmithKline LLC*, 713 F.3d 1090, 1096 (Fed. Cir. 2013) (refusing to redefine or narrow patentee's disclaimer of prior art based on later technology developments in that art).

Defendants therefore ask that the sentence "An interactive link cannot be a bookmark, cookie, shortcut, hyperlink or Internet address (URL)" be included in the construction of "interactive link."

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Respectfully Submitted,

By: /s/ Michael B. Levin

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on November 15, 2013, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Civil Rule 5.2.

/s/ Michael B. Levin
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